

AMENDED IN SENATE JULY 3, 2001

AMENDED IN SENATE JUNE 25, 2001

SENATE BILL

No. 955

Introduced by Senator Alpert

February 23, 2001

An act to amend Sections 8483.7, 47612.5, 47634, 47635, 47663, 51224.5, and 69612 of, *and to add Section 8238 to*, the Education Code, and to amend Section 3 of Chapter 1024 of the Statutes of 2000, relating to education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 955, as amended, Alpert. Education.

(1) *Existing law, the Budget Act of 2000, allocates funds for the California Home Instruction Program for Preschool Youngsters (HIPPY) contingent upon implementing school districts entering into written agreements with the California HIPPY state office to provide evaluation, training, and technical assistance, makes a legislative finding that the HIPPY program serves an essential educational purpose as a resource for early childhood development services, and counts the funds allocated towards the state's minimum funding obligation for education.*

This bill would codify the legislative finding and requirement that funds appropriated for purpose of the HIPPY program in the annual Budget Act be counted towards the state's minimum funding obligation.

(2) *Existing law requires that 50% of the grant funds appropriated for the After School Learning and Safe Neighborhoods Partnerships Program be reserved for programs that operate at middle and junior*

high schools and the other 50% of those funds be reserved for programs that operate at elementary schools.

This bill would delete this reservation of funds, give priority for funding to current grant recipients, and authorize an increase, as specified, in the maximum total grant amounts for participating schools that have pupils on waiting lists.

(3) Existing law requires a charter school to offer the same number of minutes of instruction per year as do noncharter schools, maintain written attendance records, and certify that its pupils participate in the state testing programs.

This bill would make these requirements a condition of the apportionment of state funds and would require a reduction in apportionment caused by an exception to these requirements to be proportional to the magnitude of the exception that caused the reduction.

~~(2)~~

(4) Existing law requires the Superintendent of Public Instruction annually to compute a categorical block grant amount for each charter school and includes the Public School Accountability Act of 1999 in the categorical programs upon which the block grant amount is computed.

This bill would exclude that categorical program from the above computation.

~~(3)~~

(5) Existing law requires a local educational agency that sponsors a charter school annually to transfer to each of its charter schools a prescribed amount of funding in lieu of funding available through property taxes.

This bill would exempt from this requirement funding for pupils who reside in, and are otherwise eligible to attend a school in, a basic aid school district, but who attend a charter school in a nonbasic aid school district. With regard to these pupils, the bill would require the sponsoring basic aid school district to transfer to the charter school an amount of funds equivalent to the revenue limit earned through average daily attendance by the charter school for each pupil's attendance, not to exceed the average property tax share per unit of average daily attendance for pupils residing and attending in the basic aid school district.

The bill would prohibit the Superintendent of Public Instruction from apportioning funds for attendance of a pupil in a charter school of a nonbasic aid school district who resides in and is otherwise eligible to



attend school in a basic aid school district unless the amount transferred by the basic aid school district to the charter school is less than the revenue limit earned by the charter school, in which case the Superintendent of Public Instruction is required to apportion the difference to the charter school from state funds.

~~(4)–~~

(6) Existing law sets forth the adopted course of study for grades 7 to 12, *inclusive*, and includes algebra in that course of study. Existing law sets forth the coursework requirement for graduation from high school, including, but not limited to, the requirement that a pupil complete 2 courses in mathematics. Existing law provides that if a pupil at any time completes coursework that meets or exceeds the academic content standards for Algebra I in less than 2 courses, the 2-course graduation requirement for mathematics shall be deemed to have been satisfied. Existing law states the intent of the Legislature that any modification of coursework required by adding algebra to the adopted course of study be incorporated into the other coursework that the governing board of a school district may by rule specify as required for high school graduation.

This bill would, instead, provide that if a pupil at any time in any of grades 7 to 12, inclusive, completes coursework that meets or exceeds the academic content standards for Algebra ~~I~~, the coursework would apply towards satisfying the 2-course graduation requirement for mathematics. The bill would state the intent of the Legislature that any modification of coursework required by these provisions be incorporated instead into the 2 courses of mathematics required for graduation.

~~(5)–~~

(7) Existing law requires that all persons eligible to enter into agreements for loan assumption pursuant to Assumption Program of Loans for Education be persons who need to complete training or coursework in order to be fully credentialed, and who agree to obtain a credential and teach in a designated subject matter shortage area or in a school that, at the time that the teacher is hired, serves a large population of pupils from low-income families, has a high percentage of teachers holding emergency permits, or is a low-performing school.

This bill would define “a school that serves a large population of pupils from low-income families” as an elementary or middle school in which at least 70% of the enrolled pupils qualify for free or reduced price meals or a high school that meets the federal standards for loan



cancellation with regard to the number of pupils from low-income families.

~~(6)~~

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 8238 is added to the Education Code, to*
2 *read:*

3 8238. *The Legislature finds that the California Home*
4 *Instruction Program for Preschool Youngsters serves an essential*
5 *educational purpose as a resource for early childhood*
6 *development services authorized pursuant to this chapter.*
7 *Therefore, notwithstanding Section 41202 and the requirement*
8 *that school districts implementing the California Home*
9 *Instruction Program for Preschool Youngsters enter into written*
10 *agreements with an organization capable of providing all the*
11 *services necessary to support the program model, including, but*
12 *not limited to, evaluation, training, and technical assistance, funds*
13 *appropriated for purposes of the California Home Instruction*
14 *Program for Preschool Youngsters in the annual Budget Act shall*
15 *be counted towards the state's obligation for minimum funding of*
16 *the public school system under Section 8 of Article XVI of the*
17 *California Constitution.*

18 SEC. 2. *Section 8483.7 of the Education Code is amended to*
19 *read:*

20 8483.7. (a) It is the intent of the Legislature that a minimum
21 of eighty-five million dollars (\$85,000,000) be appropriated for
22 the program established pursuant to this article, through the annual
23 Budget Act. Of the funds appropriated for the program, 50 percent
24 ~~shall be reserved for programs that operate at elementary schools~~
25 ~~and 50 percent shall be reserved for programs that operate at~~
26 ~~middle and junior high schools. If there are not a sufficient number~~
27 ~~of qualified applicants to use all of the funding in one category, the~~
28 ~~remaining funds may be used for qualified applicants in the other~~
29 ~~category—~~ *current grant recipients shall have priority for receiving*
30 *continued funding.*

(b) (1) (A) Every school that establishes a program pursuant to this article is eligible to receive a three year renewable incentive grant, *that shall be awarded in three one-year increments and shall be* subject to annual reporting and recertification as required by the State Department of Education, for either of the following, as selected by the school:

(i) Up to five dollars (\$5) per day per pupil, if the program serves pupils in elementary, middle, or junior high school.

(ii) Five dollars (\$5) per pupil for each three hours of pupil attendance, with a maximum total reimbursement of twenty-five dollars (\$25) per pupil per week, if the program serves pupils in middle or junior high school. To receive reimbursement pursuant to this subparagraph, the program administrator shall apply to and receive approval annually from the Superintendent of Public Instruction. Approval by the Superintendent of Public Instruction shall be based on program results.

(B) The maximum total grant amount awarded *annually* pursuant to this paragraph shall be seventy-five thousand dollars (\$75,000) for each regular school year for each elementary school and one hundred thousand dollars (\$100,000) for each regular school year for each middle or junior high school.

(2) For large schools, the maximum total grant amounts described in paragraph (1) may be increased based on the following formulas, up to a maximum amount of twice the respective limits specified in paragraph (1):

(A) For elementary schools, multiply seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 600.

(B) For middle schools, multiply seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 900.

(3) *The maximum total grant amounts set forth in subparagraph (B) of paragraph (1) and in paragraph (2) may be increased, from any funds made available for this purpose in the annual Budget Act for participating schools that have pupils on waiting lists for the program, by the lesser of an amount that is either 25 percent of the current maximum total grant amount or a percentage of the current maximum total grant amount that is equal to the proportion of pupils unserved by the program, as measured by documented waiting lists as of January 1, 2001,*

1 compared to the actual enrollment in the after school program on
2 the same date. Matching fund requirements shall be increased
3 accordingly.

4 (4) A school that establishes a program pursuant to this article
5 is eligible to receive a supplemental grant to operate the program
6 during any combination of summer, intersession, or vacation
7 periods for a maximum of the lesser of the following amounts:

8 (A) Five dollars (\$5) per day per pupil.

9 (B) Thirty percent of the total grant amount awarded to the
10 school per school year pursuant to this subdivision.

11 ~~(4)~~

12 (5) Each program shall provide at least 50 percent cash or
13 in-kind local matching funds from the school district,
14 governmental agencies, community organizations, or the private
15 sector for each dollar received in grant funds. Neither facilities nor
16 space usage may fulfill the match requirement.

17 (c) The administrator of a program established pursuant to this
18 article may supplement, but not supplant existing funding for after
19 school programs with grant funds awarded pursuant to this article.
20 State categorical funds for remedial education activities shall not
21 be eligible as matching funds for those after school programs.

22 (d) Up to 15 percent of the initial year's grant amount for each
23 grant recipient may be utilized for startup costs. Under no
24 circumstance shall funding for startup costs result in an increase
25 in the grant recipient's total funding above the approved grant
26 amount.

27 SEC. 3. Section 47612.5 of the Education Code is amended to
28 read:

29 47612.5. (a) Notwithstanding any other provision of law and
30 as a condition of apportionment, a charter school shall do all of the
31 following:

32 (1) Offer, at a minimum, the same number of minutes of
33 instruction set forth in paragraph (3) of subdivision (a) of Section
34 46201 for the appropriate grade levels.

35 (2) Maintain written contemporaneous records that document
36 all pupil attendance and make these records available for audit and
37 inspection.

38 (3) Certify that its pupils have participated in the state testing
39 programs specified in Chapter 5 (commencing with Section

60600) of Part 33 in the same manner as other pupils attending public schools as a condition of apportionment of state funding.

(b) Notwithstanding any other provision of law, a charter school that provides independent study shall comply with Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 and implementing regulations adopted thereunder. The State Board of Education shall adopt regulations that apply this article to charter schools. To the extent that these regulations concern the qualifications of instructional personnel, the State Board of Education shall be guided by subdivision (l) of Section 47605.

(c) A reduction in apportionment made pursuant to subdivision (a) shall be proportional to the magnitude of the exception that causes the reduction.

~~SEC. 2.—~~

SEC. 4. Section 47634 of the Education Code is amended to read:

47634. The Superintendent of Public Instruction shall annually compute a categorical block grant amount for each charter school as follows:

(a) The superintendent shall compute, as of June 30, 1999, the estimated statewide average amount of funding for other state categorical aid per unit of average daily attendance received by school districts in 1998–99, for each of four grade level ranges: kindergarten and grades 1, 2, and 3; grades 4, 5, and 6; grades 7 and 8; and grades 9 to 12, inclusive. For purposes of this computation, other state categorical aid is limited to the following programs:

(1) The Agricultural Vocational Education Incentive Program, as set forth in Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28.

(2) Apprentice education established pursuant to Article 8 (commencing with Section 8150) of Chapter 1 of Part 6.

(3) The Beginning Teacher Support and Assessment System as set forth in Article 4.5 (commencing with Section 44279.1) of Chapter 2 of Part 25.

(4) College preparation programs as set forth in Chapter 8 (commencing with Section 60830) of Part 33, the Academic Improvement and Achievement Act as set forth in Chapter 12 (commencing with Section 11020) of Part 7, and the advanced placement program as set forth in Chapter 8.3 (commencing with Section 52240) of Part 28.

- 1 (5) Community day schools as set forth in Article 3
2 (commencing with Section 48660) of Chapter 4 of Part 27.
- 3 (6) The Demonstration Programs in Intensive Instruction as set
4 forth in Chapter 4 (commencing with Section 58600) of Part 31.
- 5 (7) The School-Based Pupil Motivation and Maintenance
6 Program and Dropout Recovery Act, as set forth in Article 7
7 (commencing with Section 54720) of Chapter 9 of Part 29.
- 8 (8) The Early Intervention for School Success Program, as set
9 forth in Article 4.5 (commencing with Section 54685) of Chapter
10 9 of Part 29.
- 11 (9) Education Technology pursuant to Article 15 (commencing
12 with Section 51870.5) of Chapter 5 of Part 28.
- 13 (10) Foster youth programs pursuant to Chapter 11.3
14 (commencing with Section 42920) of Part 24.
- 15 (11) Gifted and talented pupil programs pursuant to Chapter 8
16 (commencing with Section 52200) of Part 28.
- 17 (12) The Healthy Start Support Services for Children Act, as
18 set forth in Chapter 5 (commencing with Section 8800) of Part 6.
- 19 (13) High-risk first-time offenders programs pursuant to
20 Chapter 2 (commencing with Section 47760) of Part 26.95.
- 21 (14) The General Fund contribution to the State Instructional
22 Material Fund pursuant to Article 3 (commencing with Section
23 60240) of Chapter 2 of Part 33.
- 24 (15) Intersegmental programs for kindergarten and grades 1 to
25 12, inclusive, funded by Item 6110-230-0001 of Section 2.00 of
26 the Budget Act of 1998.
- 27 (16) Proposition 98 educational programs pursuant to Item
28 6110-231-0001 of Section 2.00 of the Budget Act of 1998.
- 29 (17) The California Mentor Teacher Program, as set forth in
30 Article 4 (commencing with Section 44490) of Chapter 3 of Part
31 25.
- 32 (18) The Miller-Unruh Basic Reading Act of 1965, as set forth
33 in Chapter 2 (commencing with Section 54100) of Part 29.
- 34 (19) The Morgan-Hart Class Size Reduction Act of 1989, as set
35 forth in Chapter 6.8 (commencing with Section 52080) of Part 28.
- 36 (20) Opportunity schools pursuant to Article 2 (commencing
37 with Section 48630) of Chapter 4 of Part 27.
- 38 (21) Partnership academies pursuant to Article 5 (commencing
39 with Section 54690) of Chapter 9 of Part 29.



(22) Mathematics staff development pursuant to Chapter 3.25 (commencing with Section 44695) and Chapter 3.33 (commencing with Section 44720) of Part 25.

(23) Improvement of elementary and secondary education pursuant to Chapter 6 (commencing with Section 52000) of Part 28.

(24) The School Community Policing Partnership Act of 1998, as set forth in Article 6 (commencing with Section 32296) of Chapter 2.5 of Part 19.

(25) The School/Law Enforcement partnership funded by Item 6110-226-0001 of Section 2.00 of the Budget Act of 1998.

(26) Specialized secondary schools pursuant to Chapter 6 (commencing with Section 58800) of Part 31.

(27) School personnel staff development and resource centers pursuant to Chapter 3.1 (commencing with Section 44670) of Part 25.

(28) Supplemental grant funding, not otherwise included in the programs described above, provided by Item 6110-230-0001 of Section 2.00 of the Budget Act of 1998.

(29) Academic progress and counseling review pursuant to Section 48431.6.

(30) The Schiff-Bustamante Standards-Based Instructional Materials ~~Programs~~ *Program* as set forth in Chapter 3.5 (commencing with Section 60450) of Part 33.

(31) The Elementary School Intensive Reading Program, as set forth in Chapter 16 (commencing with Section 53025) of Part 28.

(32) The California Public School Library Protection Act, as set forth in Article 6 (commencing with Section 18175) of Chapter 2 of Part 11.

(33) The California Peer Assistance and Review Program for Teachers, as set forth in Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25.

Notwithstanding any other provision of law, charter schools that have received a block grant pursuant to this section shall not be eligible to receive separate funding for programs enumerated in paragraphs (1) to (33), inclusive, or any other state categorical aid programs established on or after July 1, 1999, that are included in the calculation made pursuant to this subdivision and for which charter schools are not required to apply separately.

(b) For purposes of the computation prescribed by subdivision (a), other state categorical aid may not include any of the following:

(1) Programs for which a charter school is required to apply separately.

(2) Programs that support, or are provided in lieu of, capital expenses.

(3) Funding for court-ordered or voluntary desegregation programs.

(4) Special education programs.

(5) Economic Impact Aid.

(6) Lottery funds.

(c) The superintendent shall annually adjust each of the resulting four amounts computed pursuant to subdivision (a) by the cumulative percentage change from the 1998–99 fiscal year, as annually calculated by the Director of Finance pursuant to Section 47634.5, in the total amount of state funding per unit of average daily attendance received by K–12 local educational agencies for purposes that apply toward meeting the requirements of Section 8 of Article XVI of the California Constitution, exclusive of funding for adult education, child development programs, special education, Economic Impact Aid, revenue limits for school districts and county offices of education, and programs for which a charter school is required to apply separately.

(d) The superintendent shall multiply each of the four amounts computed in subdivision (c) by the charter school’s average daily attendance in the corresponding grade level ranges.

(e) The superintendent shall compute the statewide average amount of funding per identified educationally disadvantaged pupil received by school districts in the current year pursuant to Article 2 (commencing with Section 54020) of Chapter 1 of Part 29. This amount shall be multiplied by the number of educationally disadvantaged pupils enrolled in the charter school. The resulting amount may, if greater than zero, not be less than the minimum amount of Economic Impact Aid funding to which a school district of similar size would be entitled pursuant to Section 54031. For purposes of this subdivision, a pupil who is eligible for subsidized meals pursuant to Section 49552 and is identified as an

1 English language learner pursuant to subdivision (a) of Section
2 306 shall count as two pupils.

3 (f) The superintendent shall add the amounts computed in
4 subdivisions (d) and (e). The resulting amount shall be the charter
5 school's categorical block grant; that the superintendent shall
6 apportion to each charter school from funds appropriated for this
7 purpose in the annual Budget Act or another statute.

8 (g) Notwithstanding any other provision of law, a charter
9 school is not eligible to apply for funding under any of the
10 programs the funding of which is included in the computation of
11 the categorical block grant. The Superintendent of Public
12 Instruction shall annually provide each charter school with a list
13 of these programs and shall ensure that a charter school receives
14 timely notification of the opportunity to apply for programs
15 administered by the State Department of Education that are
16 excluded from the categorical block grant.

17 (h) It is the intent of the Legislature to fully fund the categorical
18 block grant and to appropriate additional funding that may be
19 needed in order to compensate for unanticipated increases in
20 average daily attendance in charter schools.

21 (i) Categorical block grant funding may be used for any
22 purpose determined by the governing body of the charter school.

23 ~~SEC. 3.—~~

24 *SEC. 5.* Section 47635 of the Education Code is amended to
25 read:

26 47635. (a) A sponsoring local educational agency shall
27 annually transfer to each of its charter schools funding in lieu of
28 property taxes equal to the lesser of the following two amounts:

29 (1) The average amount of property taxes per unit of average
30 daily attendance, including average daily attendance attributable
31 to charter schools, received by the local educational agency,
32 multiplied by the charter school's average daily attendance.

33 (2) The statewide average general-purpose funding per unit of
34 average daily attendance received by school districts, as
35 determined by the State Department of Education, multiplied by
36 the charter school's average daily attendance in each of the four
37 corresponding grade level ranges: kindergarten and grades 1, 2,
38 and 3; grades 4, 5, and 6; grades 7 and 8; and grades 9 to 12,
39 inclusive.

1 (b) The sponsoring local educational agency shall transfer
2 funding in lieu of property taxes to the charter school in monthly
3 installments, by no later than the 15th of each month.

4 (1) For the months of August to February, inclusive, a charter
5 school's funding in lieu of property taxes shall be computed based
6 on the amount of property taxes received by the sponsoring local
7 educational agency during the preceding fiscal year, as reported to
8 the Superintendent of Public Instruction for purposes of the second
9 principal apportionment. A sponsoring local educational agency
10 shall transfer to the charter school the charter school's estimated
11 annual entitlement to funding in lieu of property taxes as follows:

12 (A) Six percent in August.

13 (B) Twelve percent in September.

14 (C) Eight percent each month in October, November,
15 December, January, and February.

16 (2) For the months of March to June, inclusive, a charter
17 school's funding in lieu of property taxes shall be computed based
18 on the amount of property taxes estimated to be received by the
19 sponsoring local educational agency during the fiscal year, as
20 reported to the Superintendent of Public Instruction for purposes
21 of the first principal apportionment. A sponsoring local
22 educational agency shall transfer to each of its charter schools an
23 amount equal to one-sixth of the difference between the school's
24 estimated annual entitlement to funding in lieu of property taxes
25 and the amounts provided pursuant to paragraph (1). An additional
26 one-sixth of this difference shall be included in the amount
27 transferred in the month of March.

28 (3) For the month of July, a charter school's funding in lieu of
29 property taxes shall be computed based on the amount of property
30 taxes estimated to be received by the sponsoring local educational
31 agency during the prior fiscal year, as reported to the
32 Superintendent of Public Instruction for purposes of the second
33 principal apportionment. A sponsoring local educational agency
34 shall transfer to each of its charter schools an amount equal to the
35 remaining difference between the school's estimated annual
36 entitlement to funding in lieu of property taxes and the amounts
37 provided pursuant to paragraphs (1) and (2).

38 (4) Final adjustments to the amount of funding in lieu of
39 property taxes allocated to a charter school shall be made in

1 February, in conjunction with the final reconciliation of annual
2 apportionments to schools.

3 (5) Subdivision (a) and paragraphs (1) to (4), inclusive, of
4 subdivision (b) do not apply for pupils who reside in, and are
5 otherwise eligible to attend a school in, a basic aid school district,
6 but who attend a charter school in a nonbasic aid school district.
7 With regard to these pupils, the sponsoring basic aid district shall
8 transfer to the charter school an amount of funds equivalent to the
9 revenue limit earned through average daily attendance by the
10 charter school for each pupil's attendance, not to exceed the
11 average property tax share per unit of average daily attendance for
12 pupils residing and attending in the basic aid district. The transfer
13 of funds shall be made in not fewer than two installments at the
14 request of the charter school, the first occurring not later than
15 February 1 and the second not later than June 1 of each school year.
16 Payments shall reflect the average daily attendance certified for
17 the time periods of the first and second principal apportionments,
18 respectively. The Superintendent of Public Instruction may not
19 apportion any funds for the attendance of pupils described in this
20 subdivision unless the amount transferred by the basic aid district
21 is less than the revenue limit earned by the charter school, in which
22 event the Superintendent of Public Instruction shall apportion the
23 difference to the charter school from state funds.

24 ~~SEC. 4.—~~

25 *SEC. 6.* Section 47663 of the Education Code is amended to
26 read:

27 47663. (a) For a pupil of a charter school sponsored by a
28 basic aid school district who resides in, and is otherwise eligible
29 to attend, a school district other than a basic aid school district, the
30 Superintendent of Public Instruction shall apportion to the
31 sponsoring school district an amount equal to 70 percent of the
32 revenue limit per unit of average daily attendance that would have
33 been apportioned to the school district that the pupil resides in and
34 would otherwise have been eligible to attend.

35 (b) A district that loses basic aid status as a result of transferring
36 property taxes to a charter school or schools pursuant to Section
37 47635 shall be eligible to receive a pro rata share of funding
38 provided by subdivision (a), with the proration factor calculated
39 as the ratio of the following:



(1) The amount of property taxes that the district receives in excess of its total revenue limit guarantee, prior to any transfers made pursuant to Section 47635.

(2) The total amount of property taxes transferred pursuant to Section 47635 to the charter school or schools that it sponsors.

(c) The Superintendent of Public Instruction may not apportion funds for the attendance of a pupil in a charter school of a nonbasic aid school district who resides in, and is otherwise eligible to attend school in, a basic aid school district unless the pupil is subject to the exception set forth in paragraph (5) of subdivision (b) of Section 47635.

(d) For purposes of this section, “basic aid school district” means a school district that does not receive from the state, for any fiscal year in which the subdivision is applied, an apportionment of state funds pursuant to subdivision (h) of Section 42238.

~~SEC. 5.—~~

SEC. 7. Section 51224.5 of the Education Code is amended to read:

51224.5. (a) The adopted course of study for grades 7 to 12, inclusive, shall include algebra as part of the mathematics area of study pursuant to subdivision (f) of Section 51220.

(b) Commencing with the 2003–04 school year and each year thereafter, at least one course, or a combination of the two courses in mathematics required to be completed pursuant to subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3 by pupils while in grades 9 to 12, inclusive, prior to receiving a diploma of graduation from high school, shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605.

(c) If at any time, in any of grades 7 to 12, inclusive, or in any combination of those grades, a pupil completes coursework that meets or exceeds the academic content standards for Algebra I, those courses shall apply towards satisfying the requirements of subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3.

~~SEC. 6.—~~

SEC. 8. Section 69612 of the Education Code is amended to read:

69612. (a) The Legislature finds and declares all of the following:

1 (1) There is a growing shortage of high-quality classroom
2 teachers, and there is a need for qualified teachers throughout
3 California.

4 (2) One of the most important elements in a pupil's success at
5 learning is the quality of the teacher.

6 (3) The teacher shortage is most serious in particular subject
7 areas, partly due to the shortage of students in these fields who
8 enter the teaching profession.

9 (4) Many school districts have difficulty recruiting and
10 retaining high-quality teachers for low-performing schools, for
11 pupils with special needs, for schools serving rural areas or large
12 populations of pupils from low-income and linguistic minority
13 families, and for schools with a high percentage of teachers
14 holding emergency permits.

15 (5) The rising costs of higher education, coupled with a shift in
16 available financial aid from scholarships and grants to loans, make
17 loan repayment options an important consideration in a student's
18 decision to pursue a postsecondary education.

19 (6) The availability of financial aid and loan repayment
20 assistance are important considerations for many students,
21 especially economically disadvantaged students, in making their
22 educational decisions.

23 (b) It is, therefore, the intent of the Legislature that all of the
24 following occur:

25 (1) The Assumption Program of Loans for Education be
26 designed to encourage persons to enter into the teaching profession
27 in designated subject matter shortage areas and in schools serving
28 large populations of pupils from low-income families, schools
29 serving rural areas, schools with a high percentage of teachers
30 holding emergency permits, or schools with any or all of these
31 characteristics.

32 (2) That the enactment of this article accomplish all of the
33 following:

34 (A) Providing outstanding postsecondary students,
35 particularly economically disadvantaged students, with the
36 assurance of financial assistance to encourage them to complete
37 postsecondary education programs leading to teaching
38 credentials, and to seek employment as teachers.

39 (B) Providing persons who agree to become teacher trainees or
40 teacher interns in a subject matter shortage area with the assurance

1 of financial assistance to encourage them to complete the
2 additional coursework necessary to obtain a teaching credential.

3 (C) Identifying subject matter areas or schools in which there
4 are shortages of fully credentialed teachers and provide incentives
5 for persons to obtain teaching credentials and seek teaching
6 positions in those areas.

7 (D) Identifying schools serving rural areas, schools serving
8 large populations of students from low-income families, or both,
9 and schools with a high percentage of teachers holding emergency
10 permits, and provide incentives for persons to obtain teaching
11 credentials and seek teaching positions in those schools.

12 (E) Identifying low-performing schools and provide incentives
13 for persons to obtain teaching credentials and seek teaching
14 positions in those schools. For the purpose of this article,
15 “low-performing school” means a school in the bottom half of the
16 Academic Performance Index rankings established pursuant to
17 subdivision (a) of Section 52056 at the time that a teacher is hired.

18 (3) Commencing with the 2000–01 school year, all persons
19 eligible to enter into agreements for loan assumption pursuant to
20 this article shall be persons who need to complete training or
21 coursework in order to be fully credentialed, and who agree to
22 obtain a credential and teach in a designated subject matter
23 shortage area or in a school that, at the time that the teacher is hired,
24 meets any of the following criteria:

25 (A) Serves a large population of pupils from low-income
26 families. For purposes of this article, “a school that serves a large
27 population of pupils from low-income families” is an elementary
28 or middle school in which at least 70 percent of the enrolled pupils
29 qualify for free or reduced price meals or a high school that meets
30 the federal standards for loan cancellation with regard to the
31 number of pupils from low-income families.

32 (B) Has a high percentage of teachers holding emergency
33 permits. For the purposes of this article, a school with a “high
34 percentage of teachers holding emergency permits” is a school in
35 which 20 percent or more of the teachers hold emergency permits,
36 teach pursuant to waivers of credential requirements, or are
37 interns.

38 (C) Is a low-performing school.

39 (4) Funding necessary for the administration of this article shall
40 be included within the annual budget of the commission in an

1 amount necessary to meet the student loan obligations incurred by
2 the commission.

3 ~~SEC. 7.—~~

4 *SEC. 9.* Section 3 of Chapter 1024 of the Statutes of 2000 is
5 amended to read:

6 Sec. 3. It is the intent of the Legislature that any modification
7 to coursework required by this act shall result in neither additional
8 classes nor in additional costs, but that any modification to
9 coursework shall be incorporated into the requirements of
10 subparagraph (B) of paragraph (1) of subdivision (a) of Section
11 51225.3 of the Education Code.

12 ~~SEC. 8.—~~

13 *SEC. 10.* This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or safety
15 within the meaning of Article IV of the Constitution and shall go
16 into immediate effect. The facts constituting the necessity are:

17 In order to implement the Budget Act of 2001 with respect to the
18 public schools and higher education, it is necessary that this act
19 take effect immediately.

